



Image

1 RCE  
1654

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995

Application Number	10/009,292
Filing Date	November 13, 2001
First Named Inventor	Squirell
Group Art Unit	1654
Examiner Name	Louise Leary
Attorney Docket Number	41577-266329

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may file a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.


- a. ☒ Check in the amount of \$2,150 is enclosed for the following fees:
- i. ☒ RCE fee under 37 C.F.R. § 1.17(e), REQUIRED when filing the RCE.
- ii. ☒ Extension of time fee under 37 C.F.R. 1.136 and 1.17.
- b. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 11-0855

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Type Name	Jamie L. Greene	Reg. No. 32,467
Signature		Date March 23, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office at P.O. Box 1450, Alexandria, VA 22313-1450 on:

Type Name	Jamie L. Greene	
Signature		Date March 23, 2004

03/29/2004 EAREGAY1 00000126 10009292

02 FC:1801

770.00 DP



Attorney Docket 41577-266329

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**DAVID J. SQUIRELL *ET AL.***

Serial No.: **10/009,292**

Art Unit: **1654**

Filed: **November 13, 2001**

Examiner: **Leary, Louise**

For: **CELL ASSAY, METHODS  
AND REAGENTS**

**THIRD AMENDMENT AND RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1430

Sir:

In response to the Advisory Action mailed February 26, 2004, a response which is due March 23, 2004, Applicants respectfully file this Third Amendment and Response to Office Action with a Request for Continued Examination (RCE) pursuant to 37 C.F.R. § 1.114. A Petition for Extension of Time under 37 C.F.R. § 1.136 for a three-month extension of time to file a response to the final office Action mailed on September 23, 2003, is enclosed together with a check in the amount of \$950.00 pursuant to 37 C.F.R. § 1.17(a)(3). A check in the amount of \$770.00 is also enclosed to cover the payment of fees for the RCE pursuant to 37 C.F.R. § 1.17(e). Applicants respectfully request reconsideration in view of the following amendments and appended remarks.

Amendments to the claims begin on page 2 of this paper.

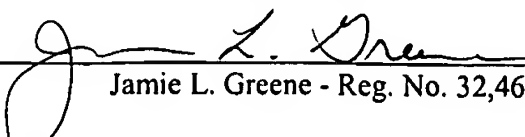
Remarks begin on page 8 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 23, 2004.

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Jamie L. Greene - Reg. No. 32,467